UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1995/50
21 August 1995

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-seventh session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Letter dated 16 August 1995 from the Ambassador of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

Referring to the draft resolutions on the former Yugoslavia and on the Situation of human rights in Kosovo and Metohija, submitted at the current session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, upon the instruction of my Government, I have the honour to submit the following comments.

Almost two weeks have passed since the Croatian aggression against the Republic of Serb Krajina was launched, entailing the largest and most dramatic exodus of refugees of our time in Europe, in consequence of "ethnic cleansing" enforced by Croatia in the United Nations Protected Area of the Republic of Serb Krajina. Against this background, it is totally incomprehensible and absolutely inadmissible that the members of the Sub-Commission have failed to

demonstrate any intention to take into consideration and condemn such policies of Croatia, or to provide corresponding protection measures for the Serb population. What they are proposing instead is a draft resolution on the former Yugoslavia, as if the largest pogrom against the Serb population in the Republic of Serb Krajina has not been unfolding in front of their eyes.

Statements made by the highest officials of the United Nations, the United Nations Secretary-General, H.E. Mr. Boutros Boutros-Ghali, and his envoy for the former Yugoslavia, Mr. Y. Akashi, Mr. K. Bildt, Co-Chairman of the International Conference on the Former Yugoslavia, the United Nations Deputy High Commissioner for Refugees, Mr. G. Waltzer, Mr. C. Sommaruga, President of the ICRC, and many others, as well as by many government officials and newsmen reporting from the spot, testify to the magnitude of this exodus and to the sufferings of the Serb people. However, there is not a single word, no trace, of any of these statements in the drafts. In this connection, we wish to draw attention to United Nations Security Council resolution 1009 (1995) of 12 July 1995, concerning the Croat aggression.

All these statements concerning the Croat crimes against the Serb civilian population should have sufficed for the Sub-Commission to take adequate measures within its mandate.

Instead, we are witnessing, all over again, the continuation of one-sided, routine accusations and draft resolutions on the situation of human rights in the territory of the former Yugoslavia, as well as in Kosovo and Metohija. These contain inappropriate, totally out-of-date statements, along with unsubstantiated allegations and/or accusations, at the expense of the Serb party alone, the practice we have unfortunately been familiar with for some time.

This approach is a striking example of double standards and of partiality fostered by independent experts, thoroughly undermining the credibility of the Sub-Commission. Again, the Sub-Commission has joined those who advocate biased, zealous and discriminatory attitudes towards the entire Serb nation, while at the same time claiming to protect the rights of all the peoples in the territory of the former Yugoslavia.

The wording used in the draft resolution on the former Yugoslavia is, once again, totally unacceptable. One can easily discern the terms contained in the Muslim-Croat propaganda arsenal ("Serb rebels from Pale", "Croat Serbs", etc.), which implies the "Serb guilt" concerning the developments in the territory of the former Yugoslavia. Such terminology induces anti-Serb feelings, i.e. nationalistic and racial discrimination, incompatible with article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, the prevention of which is the crux of the Sub-Commission's mandate.

We consider as constructive the demand contained in the above-mentioned draft resolution that the "consequences of 'ethnic cleansing' should in no way be legitimized" (in operative para. 3) and the recommendation that the international

community take steps to compensate the victims for their losses (in operative para. 6), hoping that the said stands refer also to the 250,000 exiled Krajina Serbs, the 350,000 Serbs previously expelled from Croatia, as well as the 150,000 Serbs evicted from the former Bosnia and Herzegovina. They have abandoned all their property and their homes have been systematically burned down and looted.

It is indicative that, according to the reports of the United Nations Peace-keeping Force spokesmen, the Croat authorities do not let the United Nations and humanitarian organizations' personnel visit the region and establish the true consequences of the Croatian aggression. Notwithstanding this total blockade, the proportions of the genocide and "ethnic cleansing" cannot be concealed.

Public statements made by Croat politicians and the initiative, launched only two days following the expulsion of the Serb population from Krajina, on abolishing autonomy for Serbs in Croatia, confirm that the objective of the Croat aggression has been indeed to create an ethnically pure Croatia.

Yet another attempt to cover up the Croatian crimes and the sufferings of the Serb population is the draft resolution on Kosovo and Metohija, which is based on unsubstantiated allegations by Albanian separatists, as well as by the State of Albania itself, of alleged violation of human rights of the Kosovo Albanians.

On a number of occasions, the Federal Republic of Yugoslavia has stated that no human rights violations have been committed in Kosovo and Metohija, but rather that there are open tendencies of a segment of the Albanian minority towards secession of this integral part of the Federal Republic of Yugoslavia.

The Government of the Federal Republic of Yugoslavia is expecting that the members of the Sub-Commission, in the light of its mandate, shall reconsider the draft resolutions on the former Yugoslavia and on Kosovo and Metohija, in conformity with the truth and the imperative demand to provide protection of human rights in an objective and unbiased manner.

Would you kindly inform all the members of the Sub-Commission of the contents of this letter, and have it circulated as an official document of the current session, under item 6 of the agenda.

(Signed) Dr. Vladimir Pavicevic